

B2  
Amended

26. The absorbent article according to claim 20, wherein said second absorbent member does not extend to the longitudinal edges of said first top layer.

---

### Remarks

Claims 1-3, 5-11, 15 and 19-26 are now present in the application. Claims 1, 3, 19 and 20 have been amended, claims 4, 12-14 and 16-18 have been canceled and claims 21-26 have been added. Claims 1, 19 and 20 are independent. The specification and Abstract of the Disclosure have been amended. Reconsideration of this application, as amended, is respectfully requested.

### Drawing Status

In the Examiner's Office Action dated July 27, 2001, no Notice of Draftspersons Patent Drawing Review, PTO-948 was provided by the Examiner. As indicated on the transmittal dated March 23, 1999, the seven sheets of drawings submitted with the filing of the application were formal drawings. Accordingly, the Official Draftsperson should have reviewed the drawings.

In view of the above, it is respectfully requested that the Examiner provide a PTO-948 or indication as to the status of the drawings in the next Office Communication. This will enable Applicants to begin any correction of formal matters to the drawings before allowance of the above-identified application.

**Information Disclosure Statements**

Information Disclosure Statements were submitted to the U.S. Patent and Trademark Office on March 23, 1999 and November 15, 1999. Applicants acknowledge receipt of the initialed copies of the PTO-1449 attached to the above Information Disclosure Statements.

**Assignment Status**

On page 2, lines 5-6 of the Examiner's Office Action, the Examiner indicates that the Assignment papers are not present in the application filed, although the transmittal papers indicate that Assignment papers were filed. Applicants hereby confirm that the Assignment papers were filed in the present application. Furthermore, as indicated on the Notification of Acceptance of Application dated April 27, 1999, the Assignment document was received by the PCT International Division. Furthermore, Applicants have also received a Notice of Recordation of Assignment document from the U.S. Patent and Trademark Office dated July 8, 1999. Accordingly, the Assignment document has been recorded at the U.S. Patent and Trademark Office.

In view of the above, Applicants submit that the Assignment has been properly recorded and therefore, whether or not the application has a copy of the Assignment in it has no bearing on the Examination of the present application. The present application has been assigned to Kao Corporation of Tokyo, Japan. Accordingly, the Assignment is in proper form.

**Abstract of the Disclosure**

The Examiner objects to the Abstract of the Disclosure since it is not provided on a separate page and since it includes legal terminology. As the Examiner will note, an Abstract of the Disclosure on a separate sheet has been provided for the Examiner's consideration. The Abstract of the Disclosure includes no legal terminology. Accordingly, the Abstract of the Disclosure objection has been obviated.

**35 U.S.C. § 112, First Paragraph**

The Examiner indicates that the specification should be revised carefully in order to comply with 35 U.S.C. § 112, first paragraph. The Examiner has not indicated whether this is an objection or a rejection. However, as the Examiner will note, the specification has been carefully reviewed and revised, to conform to 35 U.S.C. § 112, first paragraph. Accordingly, reconsideration and withdrawal of this objection or rejection are respectfully requested.

**Drawing Objection**

The drawings stand objected to for several minor informalities. As the Examiner will note, a separate letter to the Official Draftsperson has been provided for the Examiner's consideration. In the drawing correction attached to the Letter to the Official Draftsperson, the drawings have been carefully revised, taking into consideration the specific deficiencies pointed out by the Examiner. Approval of the drawing correction attached to the Letter to the Official Draftsperson is respectfully requested.

**Disclosure Objection**

The disclosure stands objected to because the Summary of the Invention section of the specification is not consistent in scope with claims 2-20. Applicants respectfully submit that the Summary of the Invention section is broader than claims 2-20 and therefore is consistent in scope with claims 2-20, contrary to the Examiner's assertion. Accordingly, the Summary of the Invention section has not been modified at this time. However, if the Examiner believes that an amendment of the Summary of the Invention section is required, it is respectfully requested that the Examiner clarify what changes the Examiner prefers, and Applicants will be happy to make those changes.

**Claim Objection**

Claim 4 stands objected to for a minor informality. As the Examiner will note, claim 4 has been canceled. Accordingly, this objection has been rendered moot. It should be noted; however, that the subject matter of canceled dependent claim 4 has been added to the independent claims. Applicants have corrected the minor informality mentioned by the Examiner in these claims.

**Rejections Under 35 U.S.C. §§ 102 and 103**

Claims 1-2, 5-6 and 8-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Canadian International. Claims 1, 3 and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kimura et al. Claims 1, 4, 12 and 13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Runeman et al. Claims 1, 3, 8-13, 15

and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Glaug et al. '512. Claims 1, 14 and 16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Jones, Sr. '950. Claims 1, 15 and 19-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Molnlycke et al '582. Claims 1 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Chesky et al. Claims 19 and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ahr et al. Claim 7 stands rejected under 35 U.S.C. § 103 as being unpatentable over Canadian International in view of Roessler et al. '342 and Molnlycke '582 and P&G '326. These rejections are respectfully traversed.

The present invention is directed to an absorbent article, wherein a combination of elements are recited including "an opposing pair of barrier cuffs which are within longitudinal edges of said top layer," "a pocket portion" and "a projecting portion located between said barrier cuffs on a skin contactable surface side of said pocket portion along the longitudinal direction of said barrier cuffs." All of independent claims 1, 19 and 20 require this aspect of the present invention.

With the above construction according to the present invention, due to the barrier cuffs, body fluid is prevented from flowing out of the pocket portion. Furthermore, the projecting portion more effectively prevents this from occurring. Furthermore, since a central portion of the article is rigidly increased by the projecting portion, twisting can be prevented. Applicants respectfully submit that the references relied on by the Examiner fail to teach the structure recited by the present invention and therefore cannot accomplish the above advantages of the present invention.

At the outset, it is respectfully pointed out that the independent claims of the present invention have been amended to recite the subject matter of original dependent claim 4, which has been canceled. The only reference relied on by the Examiner which was considered by the Examiner to teach dependent claim 4 is the Runeman et al. reference. Accordingly, no further comments with regard to the remaining references relied on by the Examiner will be presented by Applicants. Applicants respectfully submit that the Runeman et al. reference is insufficient to teach the present invention as originally required by dependent claim 4 and as now required by independent claims 1, 19 and 20 of the present invention. Accordingly, the independent claims should define over all of the references relied on by the Examiner.

Referring to Runeman et al., a disposable absorbent article is disclosed. The absorbent article includes an absorbent pad 3 which comprises an outer layer and an inner layer arranged on the outer layer. The inner layer includes a hose-like body 5 and two side-bodies 6. The side-bodies 6 are arranged at the lateral sides of the hose-like body 5. Referring to Fig. 2 of Runeman et al., the side-bodies 6, which the Examiner considers to be the claimed barrier cuffs of the present invention, are not “within longitudinal edges of said top layer” as required by the independent claims of the present invention, but are arranged at the longitudinal edges of the inner liquid-permeable casing 1.

Although Fig. 2 of Runeman et al. appears to depict side-bodies 6 to be within the longitudinal edges of the inner liquid-permeable casing layer 1, Applicants respectfully submit that since Fig. 2 of Runeman et al. is a schematic view, the side-bodies 6 are actually substantially arranged at the longitudinal edges of the inner liquid-permeable

casing layer 1. Accordingly, since the Runeman et al. does not teach an opposing pair of barrier cuffs which are “within” longitudinal edges of a top layer, Applicants respectfully submit that the Runeman et al. reference fails to anticipate the independent claims of the present invention.

In addition, Runeman et al. fails to teach a pocket portion formed between a pair of barrier cuffs as required by the independent claims of the present invention.

Referring to the Runeman et al., there is no pocket portion formed between the side-bodies 6. The portion between the side-bodies 6 seems to rise from the top surface of the side-bodies 6, as shown in Fig. 2 of Runeman et al. In addition, Runeman et al. is silent with regard to a projecting portion being formed in a pocket portion. Accordingly, the Runeman et al. reference fails to anticipate the independent claims of the present invention for this reason as well.

With regard to dependent claims 2, 3, 5-11 and 15, Applicants respectfully submit that these claims are allowable due to their dependence upon allowable independent claim 1, as well as for the additional limitations recited by these claims.

In view of the above amendments and remarks, Applicants respectfully submit that claims 1-3, 5-11, 15, 19 and 20 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

### **Additional Claims**

Additional claims 21-26 have been added for the Examiner's consideration. Applicants respectfully submit that these claims are allowable due to their dependence upon allowable independent claims 1, 19 and 20, as well as for the additional limitations recited by these claims.

Favorable consideration and allowance of additional claims 21-26 are respectfully requested.

### **Conclusion**

Since the remaining references cited by the Examiner have not been utilize to reject the claims, but merely to show the state of the art, no further comments are deemed necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.




Attached hereto is a marked-up version of the changes made to the application by this Amendment.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joseph A. Kolasch  
For Reg. No. 22,463 #43,368

JAK/PCL/cl

P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment: Version with Markings to Show Changes Made

**VERSION WITH MARKINGS TO SHOW CHANGES MADE****IN THE ABSTRACT OF THE DISCLOSURE****Abstract of the Disclosure**

An absorbent article [comprising] includes a liquid-permeable top layer, a liquid-impermeable back layer, and a liquid retentive absorbent member, interposed between the top layer and the back layer[, wherein the]. The absorbent member is arranged to form an opposing pair of barrier cuffs which are within longitudinal edges of the top layer and extend along the longitudinal edges[, and a]. A pocket portion is formed between the pair of barrier cuffs.

**IN THE SPECIFICATION**

**The paragraph immediately after line 16 on page 2 has been added:**

Further scope of applicability of the present invention will become apparent from the detailed description given hereinafter. However, it should be understood that the detailed description and specific examples, while indicating preferred embodiments of the invention, are given by way of illustration only, since various changes and modifications within the spirit and scope of the invention will become apparent to those skilled in the art from this detailed description.

**The following paragraph immediately after line 18, page 2 has been added:**

The present invention will become more fully understood from the detailed description given hereinbelow and the accompanying drawings which are given by way of illustration only, and thus are not limitative of the present invention, and wherein:

**The paragraph beginning on page 2, line 19, has been amended as follows:**

Fig. 1 is a perspective view showing an absorbent article according to a first embodiment of the present invention[.];

**The paragraph beginning on page 2, line 21, has been amended as follows:**

Fig. 2 is a sectional view taken along line I-I of Fig. 1, and viewed in a direction as indicated by arrows[.];

**The paragraph beginning on page 2, line 23, has been amended as follows:**

Fig. 3 is a perspective view showing an absorbent article according to the second embodiment of the present invention[.];

**The paragraph beginning on page 2, line 25, has been amended as follows:**

Fig. 4 is a sectional view taken along line V-V of Fig. 3, and viewed in a direction as indicated by arrows[.];

**The paragraph beginning on page 3, line 2, has been amended as follows:**

Fig. 5 is a sectional view, corresponding to Fig. 2 of the first embodiment, showing an absorbent article according to a third embodiment of the present invention[.];

**The paragraph beginning on page 3, line 4, has been amended as follows:**

Fig. 6 is a sectional view, corresponding to Fig. 2 of the first embodiment, showing an absorbent article according to a fourth embodiment of the present invention[.];

**The paragraph beginning on page 3, line 7, has been amended as follows:**

Fig. 7 is a sectional view, corresponding to Fig. 2 of the first embodiment, showing an absorbent article according to a fifth embodiment of the present invention[.];

**The paragraph beginning on page 3, line 9, has been amended as follows:**

Fig. 8 is a sectional view, corresponding to Fig. 2 of the first embodiment, showing an absorbent article according to a sixth embodiment of the present invention[.];

**The paragraph beginning on page 3, line 11, has been amended as follows:**

Fig. 9 is a sectional view, corresponding to Fig. 2 of the first embodiment, showing an absorbent article according to [other] another embodiment of the present invention[.];

**The paragraph beginning on page 3, line 13, has been amended as follows:**

Fig. 10 is a sectional view, corresponding to Fig. 2 of the first embodiment, showing an absorbent article according to [other] another embodiment of the present invention[.];

**The paragraph beginning on page 3, line 15, has been amended as follows:**

Fig. 11 is a sectional view, corresponding to Fig. 2 of the first embodiment, showing an absorbent article according to [other] another embodiment of the present invention[.];

**The paragraph beginning on page 3, line 17, has been amended as follows:**

Fig. 12 is a sectional view, corresponding to Fig. 2 of the first embodiment, showing an absorbent article according to [other] another embodiment of the present invention[.];

**The paragraph beginning on page 3, line 19, has been amended as follows:**

Fig. 13 is a sectional view, corresponding to Fig. 2 of the first embodiment, showing an absorbent article according to [other] another embodiment of the present invention[.]; and

**The paragraph beginning on page 5, line 5, has been amended as follows:**

[The almost] Almost an entire surface of the absorbent sheet 31 is overlaid on the top layer 10, and the absorbent sheet 31 and the top layer 10 are folded integrally. The above-mentioned barrier cuffs 40, 40 are formed by the absorbent sheet 31 and the top layer 10. In other words, the absorbent article includes means for attaching the top layer 10 to the liquid retentive member 30 (the absorbent sheet 31). The overlaid structure of the absorbent sheet 31 and top sheet 10 may be achieved by attachment using an adhesive agent or heat sealing, aside from a simple placement of the top layer 10 upon the absorbent sheet 31. The barrier cuffs 40, 40 are located apart from each other and the above-mentioned pocket portion 50 is formed therebetween. The absorbent member 30 (the absorbent sheet 31) includes means for attaching portions adjacent the barrier cuffs 40,40 (i.e. portions which are located outside the barrier cuffs 40,40) to the back layer 20[, and the]. The barrier cuffs 40,40 are spaced apart from the back layer 20. The means for attaching the portions adjacent the barrier cuffs 40, 40 to the back [layre] layer 20 includes at least [on] one of an adhesive agent and heat sealing.

**The following paragraph immediately after line 12, page 25 has been added:**

The invention being thus described, it will be obvious that the same may be varied in many ways. Such variations are not to be regarded as a departure from the spirit and

scope of the invention, and all such modifications as would be obvious to one skilled in the art are intended to be included within the scope of the following claims.

### **IN THE CLAIMS**

**Claims 4, 12-14 and 16-18 have been canceled.**

**The claims have been amended as follows:**

1. (AMENDED) An absorbent article comprising:

a liquid-permeable top layer[.];

a liquid-impermeable back layer[, and];

a liquid retentive absorbent member, interposed between said top layer and said

*PN2  
1-16-02* back layer[wherein] said absorbent member [is] being arranged to form (a) an opposing pair of barrier cuffs which are within longitudinal edges of said top layer and extend along the longitudinal edges, and (b) a pocket portion formed between said pair of barrier cuffs; and

a projecting portion located between said barrier cuffs on a skin contactable surface side of said pocket portion along the longitudinal direction of said barrier cuffs.

3. (AMENDED) The absorbent article according to claim 1, wherein said barrier cuffs are arranged away from each other, and elastic members are provided at inward side edges of said barrier cuffs located along the longitudinal direction of said barrier cuffs such that said barrier cuffs are shrunk along the longitudinal direction of said barrier cuffs over a prescribed length.

19. (AMENDED) An absorbent article comprising:

a first liquid-permeable top layer;

a liquid impermeable back layer;

a first liquid retentive absorbent member interposed between said first liquid-permeable top layer and said liquid impermeable back layer;

a second liquid-permeable top layer; [and]

a second liquid retentive absorbent member interposed between said second liquid-permeable top layer and said first liquid-permeable top layer[;], said second liquid retentive absorbent member including an opposing pair of barrier cuffs which are within longitudinal edges of said first liquid-retentive top layer and extend along longitudinal edges of said first liquid-permeable top layer, and a pocket portion formed between said pair of barrier cuffs; and

a projecting portion located between said barrier cuffs on a skin contactable surface side of said pocket portion along the longitudinal direction of said barrier cuffs.

20. (AMENDED) An absorbent article comprising:

a first liquid-permeable top layer;

a liquid impermeable back layer;

a first liquid retentive absorbent member interposed between said first liquid-permeable top layer and said liquid impermeable back layer;

a second liquid-permeable top layer;

a second liquid retentive absorbent member enclosed by said second liquid-permeable top layer, said second liquid retentive absorbent member includes a planar pad and an auxiliary pad, said second liquid retentive absorbent member including an opposing pair of barrier cuffs which are within longitudinal edges of said first liquid retentive top layer and extend along longitudinal edges of said first liquid-permeable top layer, and a pocket portion formed between said pair of barrier cuffs; [and]

means for securing said second top liquid-permeable layer to said first liquid-permeable top layer; and

a projecting portion located between said barrier cuffs on a skin contactable surface side of said pocket portion along the longitudinal direction of said barrier cuffs.